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-and-

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Attorneys for Defendant AFFORDABLE CARE, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

| BOSTON DENTAL GROUP, LLC, a Nevada limited liability company, | Case No.: 2:16-cv-01636-RFB-CWH |
|---|--|
| Plaintiff, | JOINT STIPULATION FOR DISMISSAL WITHOUT PREJUDICE OF ALL CLAIMS AND COUNTERCLAIMS |
| VS. | |
| AFFORDABLE CARE, LLC, a North Carolina limited liability company, | |
| Defendant. | |
| AND RELATED COUNTERCLAIM | |

Pursuant to an agreement reached between Plaintiff/Counterclaim Defendant Boston Dental Group, LLC ("Boston Dental"), by and through its counsel, Michael R. Mushkin & Associates P.C. and Borghese Legal, Ltd., on the one hand, and Defendant/Counterclaim Plaintiff Affordable Care, LLC ("Affordable Care"), by and through its counsel, Kolesar & Leatham and Barack Ferrazzano Kirschbaum & Nagelberg LLP, the Parties hereby stipulate that:

1. The Stipulation and Order Regarding Satisfaction of Attorneys' Fees and Costs Incurred entered as Docket #82 on December 20, 2017 is <u>VACATED</u>.

2. This action be dismissed without prejudice, each party to bear its own costs and fees.

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3. With the consent of the Court, the Court shall retain jurisdiction for the limited purpose

of enforcing the parties' settlement agreement.

IT IS SO STIPULATED.

DATED this November 27, 2018

KOLESAR & LEATHAM

DATED this November 27, 2018

BORGHESE LEGAL, LTD.

By <u>/s/ Sharon E. Calhoun</u> SCOTT R. COOK, ESQ. Nevada Bar No. 005265 JONATHAN D. BLUM, ESO. Nevada Bar No. 009515 400 South Rampart Boulevard, Suite 400 Las Vegas, Nevada 89145 scook@klnevada.com jblum@klnevada.com

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Attorneys for Defendant Affordable Care, LLC

By /s/ Mark Borghese

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Attorneys for Plaintiff Boston Dental Group, LLC

ORDER

IT IS SO ORDERED.

RICHARD F. BOULWARE, II United States District Judge

DATED: November 29, 2018.

CERTIFICATE OF SERVICE

I am a resident of Clark County, Nevada and am over the age of 18 years and not a party

to the action. My business address is: 10161 Park Run Drive, Suite 150, Las Vegas, Nevada, 89145.

On November 27, 2018, I served this document on the parties listed on the attached service

list via one or more of the methods of service described below as indicated next to the name of the

served individual or entity by a checked box:

PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and is attached.

EMAIL: By transmitting a copy of the document to the electronic-mail address designated by the attorney or the party who has consented to such manner of service.

E-FILE: Automatically through the court's electronic filing system.

FAX SERVICE: by transmitting to a facsimile machine maintained by the attorney or the party who has consented to such manner of service.

MAIL SERVICE: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada. I am readily familiar with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

I declare that under penalty of perjury under the laws of the State of Nevada that the above

is true and correct. I further declare that I am employed in the office of a member of the bar of this

court at whose direction the service was made.

/s/ Mark Borghese

An employee of BORGHESE LEGAL, LTD.

SERVICE LIST

| ATTORNEYS OF RECORD | PARTIES REPRESENTED | METHOD OF SERVICE |
|---|----------------------------|--|
| Scott R. Cook, Esq. Jonathan D. Blum, Esq. Kolesar & Leatham 400 South Rampart Blvd., Suite 400 Las Vegas, NV 89145 Email: <i>scook@klnevada.com</i> , <i>jblum@klnevada.com</i> | Attorneys for Defendant | Personal service Email E-File Fax service Mail service |
| Scott J. Slavick, Esq. Sharon E. Calhoun, Esq. Hannah Y. Jurowicz, Esq. Barack Ferrazzano Kirschbaum & Nagelberg LLP 200 W. Madison St., Suite 3900 Chicago, IL 60606 Email: hannah.jurowicz@bfkn.com, sharon.calhoun@bfkn.com, scott.slavick@bfkn.com | Attorneys for Defendant | Personal service Email E-File Fax service Mail service |